

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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|--------------------|---|----------------------|
| ALOFT MEDIA LLC, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 2:08-CV-292 |
| |) | |
| PALM, INC., ET AL. |) | |
| |) | |
| |) | |
| Defendants. |) | |
| |) | |

ORDER OF DISMISSAL

The Court grants the joint motion to dismiss filed by Aloft Media, LLC (“Aloft Media”), Sony Ericsson Mobile Communications (USA) Inc. and Sony Ericsson Mobile Communications AB (collectively “Sony Ericsson”). All claims between Aloft Media and Sony Ericsson in the instant action are hereby dismissed in accordance with the terms of the Agreement reached by the parties. Aloft Media and Sony Ericsson’s claims are hereby dismissed with prejudice except that Sony Ericsson shall retain its ability to assert all defenses and claims in the event of future litigation. Aloft Media has not released, and nothing in this dismissal shall be construed as a license, release or discharge of, any claim Aloft Media has or may have in the future against any other defendant named in this action or any other asserted infringer of the patent-in-suit. All such rights have been, and are, expressly reserved. Each party is to bear its own costs and attorney fees.

SIGNED this 9th day of September, 2009.


 DAVID FOLSOM
 UNITED STATES DISTRICT JUDGE